

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MARITZ HOLDINGS INC. and MARITZ
MOTIVATION INC.,

Plaintiffs,

v.

DREW CARTER, et al

Defendants.

Case No. 4:21-cv-00438

**PLAINTIFFS' MOTION FOR LEAVE
TO FILE SECOND AMENDED COMPLAINT**

Plaintiffs Maritz Holdings Inc. and Maritz Motivation Inc. (collectively "Maritz"), pursuant to Federal Rule of Civil Procedure 15, respectfully move the Court for leave to file a Second Amended Complaint in light of evidence and additional causes of action uncovered during expedited discovery. In support of its Motion, Maritz states:

1. Pursuant to Federal Rule of Civil Procedure 15, Maritz may amend its pleading with the Court's leave, which should be freely given "when justice so requires." Fed. R. Civ. P. 15(a)(2).

2. Throughout expedited discovery in this matter, Maritz has uncovered substantial evidence of additional wrongdoing by the Defendants, previously unknown to Maritz when it filed its First Amended Complaint. This evidence gives rise to additional factual allegations and causes of action not previously asserted.

3. As such, allowing Maritz to amend its Complaint to hold Defendants accountable for their full range of wrongdoing is in the interest of justice. Maritz has acted diligently in seeking this amendment and, given the status of this litigation, the Defendants will not be prejudiced by it.

4. Contemporaneous with this filing, Maritz has filed its Memorandum in Support, which provides further factual and legal bases for this Motion.

WHEREFORE, Maritz respectfully requests the Court grant it leave to file the Second Amended Complaint attached hereto as Exhibit 1, and grant all other relief the Court deems appropriate.

Respectfully submitted,

**OGLETREE, DEAKINS, NASH, SMOAK
& STEWART, P.C.**

/s/ Justin A. Allen

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CERIFICATE OF SERVICE

I hereby certify that on June 23, 2021, the foregoing was filed through the Court's ECF/CM system which made service on all registered participants.

/s/ Justin A. Allen

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